

## **Patrick Heath Public Library Community Display Policy**

The purpose of this policy is to provide fair and consistent standards for the use of display areas in the library, thus ensuring appropriate use of these spaces in a manner that is consistent with the library's mission, goals and objectives. Through displays, the library makes patrons aware of its programs, services, and resources. In its role as an educational force in the community the library also welcomes the opportunity to display paintings, photographs, crafts, sculpture and other items in the library where space permits. Library areas may also be used for educational and informational exhibitions which may be sponsored by non-profit entities\*.

Space is not available for commercial purposes. The exception is the foyer where for-profit businesses can display brochure-sized materials at the discretion of the Library Director.

The following areas in the building are available for community displays:

1. One glass-enclosed panel in the 1<sup>st</sup> floor foyer (2 feet x 4 feet) with additional space below for brochures/pamphlets
2. 1<sup>st</sup> floor gallery/Two cases in the gallery area

### **Goals of Displays**

- To broaden horizons by presenting a wide range of art or collections;
- To support community cultural and artistic activities;
- To nourish intellectual, aesthetic and creative growth;
- To encourage individuals who may be contributing to the increase of knowledge or extension of the arts;
- To reach non-traditional library patrons.

The library subscribes to the principles adopted by the American Library Association (ALA) in its Library Bill of Rights (Appendix 1) and Exhibit Spaces and Bulletin Boards, an Interpretation of the Library Bill of Rights (Appendix 2).

## **Criteria for Selection**

All displays, whether generated by library representatives or the public, will be considered in terms of the standards listed below. Not all exhibits will meet all standards. Responsibility for the selection of exhibits generated by the public rests with the Library Advisory Board after recommendation from the Library Display Committee, which is appointed by the Library Advisory Board and comprising members of library support groups, staff and interested persons.

The following will be considered when selecting or approving exhibits:

- Subject, technique and style are suitable for intended audience;
- Art expression and merit;
- Appropriateness to special events, anniversaries, holidays, etc.;
- Historical or regional relevance;
- Relation to other events or exhibits in the community;
- Ease of installation;
- Representation of an influential movement, genre, trend or national culture;
- Significance of the contributor;
- Interest of viewers and the public

## **Applying for Display Space**

Letters of intent, which shall include photos and descriptions of the material to be displayed, must be submitted at least six months in advance of anticipated exhibition to the Library Director. Reservations for display may be made up to one year in advance. Individual exhibitors or groups are limited to a single one-month exhibit annually.

Requests for posting of literature for the foyer space are made to the Library Director or designee. The Library Director has the sole authority to limit the length of time that such literature will be displayed. Literature accepted for posting will be dated. Literature will be removed promptly on the date agreed upon. Literature should be no larger than 11" x 17." Any loose literature, such as pamphlets and/or brochures, should be free for the taking. Due to the high volume of requests made for space in the foyer area, content in that space is routinely refreshed.

## **Guidelines for Display**

- All displays must meet existing state and federal laws on obscenity, libel, defamation of character or invasion of privacy.
- Each individual/group is responsible for hanging or displaying his/her own material in the designated areas. Exhibit removal is also the responsibility of the individual/group. Library staff is not available for assistance.

- In the gallery, displays can either attach to hanging rods (Walker System) or the cable system if there is a desire for more security for items.
- It is highly recommended that the individual/group make an appointment to learn how to use the cable systems provided.
- The library will not be responsible for protecting materials from damage or theft, Individuals/groups must sign a display space agreement and a waiver form that releases the library from any responsibility for loss or damage to works on display, or injury to individuals hanging/displaying the works. The library will not be responsible for returning or storing materials.
- Displays must conform to the space restrictions of the areas provided.
- Non-damaging adhesive must be used to affix signage to walls, e.g., blue painters tape. 3M Command Strips are prohibited.
- The library does not allow solicitation or selling of items in the library. No price tags may be affixed to the works exhibited or pricing lists displayed or distributed in the library.
- Works may be sold by the artist outside of the library.
- Individuals/groups who fail to remove materials on or before the specified date will not be allowed to use the library space in the future.
- Only a library representative can transfer an exhibit reservation to another group/individual.
- The library's need for exhibit space takes precedence over the public's request to use such areas.
- Granting of permission to display materials or artwork does not imply the library's endorsement of content, the sponsoring organization or its views. The library will not accept responsibility for the accuracy of statements made in displayed materials.

### **Acquisition or Gifts of Works**

The Patrick Heath Public Library does not currently acquire works of art for permanent display within the library or on the grounds. The library also does not accept gifts of personal property, however, the Boerne Public Library Foundation does accept gifts of personal property. Please refer to their Gift Acceptance Policy for more information.

### **Disputes**

If a group or individual objects to the Library Advisory Board's decision to display or not display materials, literature or artwork, the resolution procedure is as follows:

1. Staff shall request that the individual or representative of the group present the complaint in writing.
2. The Library Director will discuss the issue with the involved parties, review the materials and, within a reasonable period, respond in writing to the complainant. The ALA's "Library Bill of Rights" (Appendix 1) and "Exhibit Spaces and Bulletin Boards, An Interpretation of the Library Bill of Rights" (Appendix 2) are two of the guidelines the Library Director will consider when making a recommendation.
3. The Library Advisory Board will be notified of the Library Director's decision at the following meeting.
4. The Library Director will notify the involved parties of the decision in writing.

Challenged displays shall not be installed or removed until a final decision has been reached.

Challenges to the Library Director's decision concerning the display:

1. If an involved party or a member of the Library Advisory Board is dissatisfied with the Library Director's decision to install or retain the display, such party or Library Advisory Board member may, within thirty days (30) of the Library Director's decision, make a written request for the Library Advisory Board to review the Library Director's determination.
2. The chair of the Library Advisory Board will select a committee of no less than three board members, which shall not include the objecting board member, to review the display (the "Committee"). Any board member may request to serve on the Committee. The chair of the board will set a deadline for completion of the Committee's review, which shall not exceed thirty (30) days. If the chair of the board is the objecting party, the vice chair shall select the Committee members.
3. The members of the Committee will make a written recommendation to the board.
4. The board will make a decision after receiving the Committee's written recommendation. If a board member is the objecting party, such board member shall recuse him/herself from the decision-making process.
5. The Library Director will notify the involved parties of the board's determination in writing.
6. If an involved party or board member is dissatisfied with the decision of the board, such party or board member may, within thirty (30) days, make a written appeal to the Boerne City Council. The Boerne City Council will, at its next regularly scheduled meeting, review the board determination. The Boerne City Council's determination will be final.

If the decision is to remove the display, the Library Director shall immediately remove the display. Attachments to policy:

- 1) Library Bill of Rights
- 2) Exhibit Spaces and Bulletin Boards, An Interpretation of the Library Bill of Rights
- 3) Use of Display Space Agreement
- 4) City of Boerne Release and Indemnity Agreement

\* Texas Business Organizations Code § 2.002. PURPOSES OF NONPROFIT ENTITY. The purpose or purposes of a domestic nonprofit entity may include one or more of the following purposes:

- (1) serving charitable, benevolent, religious, eleemosynary, patriotic, civic, missionary, educational, scientific, social, fraternal, athletic, aesthetic, agricultural, and horticultural purposes;
- (2) operating or managing a professional, commercial, or trade association or labor union;
- (3) providing animal husbandry; or
- (4) operating on a nonprofit cooperative basis for the benefit of its members.

Acts 2003, 78th Leg., ch. 182, § 1, eff. Jan. 1, 2006.

Last review/revision: March 10, 2016

Initially adopted: July 8, 2010

## **Library Bill of Rights (Appendix 1)**

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

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Adopted June 19, 1939, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; inclusion of "age" reaffirmed January 23, 1996.

## **Exhibit Spaces and Bulletin Boards (Appendix 2)**

### **An Interpretation of the Library Bill of Rights**

Libraries often provide exhibit spaces and bulletin boards in physical and/or electronic formats. The uses made of these spaces should conform to the American Library Association's *Library Bill of Rights*: Article I states, "Materials should not be excluded because of the origin, background, or views of those contributing to their creation." Article II states, "Materials should not be proscribed or removed because of partisan or doctrinal disapproval." Article VI maintains that exhibit space should be made available "on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use."

In developing library exhibits, staff members should endeavor to present a broad spectrum of opinion and a variety of viewpoints. Libraries should not shrink from developing exhibits because of controversial content or because of the beliefs or affiliations of those whose work is represented. Just as libraries do not endorse the viewpoints of those whose work is represented in their collections, libraries also do not endorse the beliefs or viewpoints of topics that may be the subject of library exhibits.

Exhibit areas often are made available for use by community groups. Libraries should formulate a written policy for the use of these exhibit areas to assure that space is provided on an equitable basis to all groups that request it. Written policies for exhibit space use should be stated in inclusive rather than exclusive terms. For example, a policy that the library's exhibit space is open "to organizations engaged in educational, cultural, intellectual, or charitable activities" is an inclusive statement of the limited uses of the exhibit space. This defined limitation would permit religious groups to use the exhibit space because they engage in intellectual activities, but would exclude most commercial uses of the exhibit space.

A publicly supported library may designate use of exhibit space for strictly library-related activities, provided that this limitation is viewpoint neutral and clearly defined.

Libraries may include in this policy rules regarding the time, place, and manner of use of the exhibit space, so long as the rules are content neutral and are applied in the same manner to all groups wishing to use the space. A library may wish to limit access to exhibit space to groups within the community served by the library. This practice is acceptable provided that the same rules and regulations apply to everyone, and that exclusion is not made on the basis of the doctrinal, religious, or political beliefs of the potential users.

The library should not censor or remove an exhibit because some members of the community may disagree with its content. Those who object to the content of any exhibit held at the library should be able to submit their complaint and/or their own exhibit proposal to be judged according to the policies established by the library.

Libraries may wish to post a permanent notice near the exhibit area stating that the library does not advocate or endorse the viewpoints of exhibits or exhibitors.

Libraries that make bulletin boards available to public groups for posting notices of public interest should develop criteria for the use of these spaces based on the same considerations as those outlined above. Libraries may wish to develop criteria regarding the size of material to be displayed, the length of time materials may remain on the bulletin board, the frequency with which material may be posted for the same group, and the geographic area from which notices will be accepted.

Adopted July 2, 1991, by the ALA Council; amended June 30, 2004, and July 1, 2014.



**Patrick Heath Public Library**  
**USE OF DISPLAY SPACE AGREEMENT**

SPONSOR OF DISPLAY \_\_\_\_\_

CONTACT PERSON (Person Making Agreement)

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone Number \_\_\_\_\_

DESCRIPTION OF DISPLAY \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DURATION OF DISPLAY \_\_\_\_\_

SET-UP DATE & TIME \_\_\_\_\_

REMOVAL DATE & TIME \_\_\_\_\_

I have read, understand, and agree to abide by the policy on Community Display. I have voluntarily requested to display my wares with the full knowledge and understanding that they will be displayed in public areas without benefit of special security. I release the Patrick Heath Public Library or any associates thereof from any and all claims, damages, actions, or causes of action as the result of any damage to or theft of the items I have placed upon display within the Library. I understand that I am also required to sign a City of Boerne Release and Indemnity Agreement.

Signature \_\_\_\_\_

(Contact Person)

Date \_\_\_\_\_

# **CITY OF BOERNE**

## **RELEASE AND INDEMNITY AGREEMENT**

### **AND RESCUE, MEDICAL ASSISTANCE, TRANSPORT CONTRACT**

**In exchange for being allowed to participate in City sponsored activities, I am freely signing this RELEASE AND INDEMNITY AGREEMENT AND RESCUE, MEDICAL ASSISTANCE, TRANSPORT CONTRACT.**

**I understand that participating in City sponsored activities may be hazardous to my personal health and safety (and that of my minor children), and that for the privilege of being allowed to participate in such activities, I am accepting all risks associated with being on the property and/or participating in City sponsored activities on behalf of myself (and my minor children).**

**I understand that risks associated with such entry and/or participation include, but are not limited to, bodily injury, property loss or damage and death.**

**I understand and accept that my voluntary participation in City sponsored activities exposes me to a heightened risk of injury, property loss, damage or death and that those risks are possibly beyond the ordinary risks associated with such potentially hazardous terrain and/or activities.**

**Knowing this, I hereby RELEASE, DISCHARGE AND AGREE TO HOLD HARMLESS the City of Boerne, its officers, employees, agents, volunteers and assigns from and against any and all liability, claims, demands and judgments which I may have, or which my heirs, executors, administrators, or assigns may have or claim to have against the City of Boerne, its officers, employees, agents, volunteers, or assigns, for any and all claims, demands, actions, and causes of action of whatever nature or character, known or unknown, which may be asserted by any person, firm, or corporation, whosoever claiming by, through or under me for personal injuries, death, and/or property damage caused by or arising out of, my entry on to the property and/or participation in City sponsored activities.**

**I agree that if I (or my minor children) require rescue and/or emergency medical assistance and/or transport, I WILL PAY THE COSTS OF SUCH RESCUE AND/OR ASSISTANCE AND/OR TRANSPORT and I, or my heirs, will reimburse the City of Boerne and/or others for the costs incurred in performing any rescue and/or assistance and/or transport on my behalf within thirty (30) days of receipt of written demand.**

**I am 18 years of age or over, or I am accompanied by a parent or guardian who is authorized to sign this release on my behalf. I have carefully read this RELEASE AND INDEMNITY AGREEMENT AND RESCUE, MEDICAL ASSISTANCE, TRANSPORT CONTRACT or had it read to me in a language that I fully understand and I understand all of its terms. I am signing voluntarily and with full knowledge of its legal consequences and of the personal risks to me and/or my minor children. I have not relied on any information from the City of Boerne, its officers, employees, agents, volunteers or assigns in deciding to make this release and agreement.**

**SIGNED ON (Date)** \_\_\_\_\_

**Participant (Printed):**

\_\_\_\_\_

**Participant (Signed):**

\_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_